B104 (FORM 104) (08/07)

ADVERSARY PROCEEDING COVER SHEET (Instructions on Reverse)		ADVERSARY PROCEEDING NUMBER (Court Use Only)		
PLAINTIFFS UNIGWE STELLA TNDIVISUMME, AND DIBIA: STELLA EARLY LEARNING CENTER TO	DEFEND	ANTS UNITED STATES OF RICA ACTING THROUGH T.R.S		
STELLA EARLY LEARNING CENTER IN	C. M.	AXIMUS, IMC (VIRG-INIA)		
ATTORNEYS (Firm Name, Address, and Telephone No.) SIELLA UNIGWE 2330 CORUNET WAY ATLANTA, GA 30318.	ATTORN	NEYS (If Known)		
PARTY (Check One Box Only)	PARTY (Check One Box Only)		
Debtor U.S. Trustee/Bankruptcy Admin	□ Debtor	□ U.S. Trustee/Bankruptcy Admin		
□ Creditor □ Other	Creditor	□ Other		
Trustee .	☐ Trustee			
CAUSE OF ACTION (WRITE A BRIEF STATEMENT OF CAUSE	OF ACTION	I, INCLUDING ALL U.S. STATUTES INVOLVED)		
VIOLATION OF ANTOMATIC STAY ORDER THUS CAUSING A CONSTITUTION AL VIOLATION AND DAMAGES THERETO ON THE DEBTOR, AND HER BUSINEES KUNDS				
NATURE C				
(Number up to five (5) boxes starting with lead cause of action as 1		ive cause as 2, second alternative cause as 3, etc.)		
FRBP 7001(1) - Recovery of Money/Property	_	6) – Dischargeability (continued)		
1-Recovery of money/property - §542 turnover of property		argeability - §523(a)(5), domestic support		
12-Recovery of money/property - §547 preference	☐ 68-Disch	argeability - §523(a)(6), willful and malicious injury		
13-Recovery of money/property - §548 fraudulent transfer	63-Disch	argeability - §523(a) \$5004002010 AM09:07		
14-Recovery of money/property - other		argeability - §523(a)(15), divorce or separation obligation than domestic support)		
FRBP 7001(2) - Validity, Priority or Extent of Lien	P	argeability - other		
21-Validity, priority or extent of lien or other interest in property		70 C⊕2		
FRBP 7001(3) - Approval of Sale of Property 31-Approval of sale of property of estate and of a co-owner - §363(h)	71-Injun	7) - Injunctive Relief ctive relief - imposition of stay ctive relief - other ctive relief - other		
FRBP 7001(4) - Objection/Revocation of Discharge	FRBP 7001(8	S) Subordination of Claim or Interest		
41-Objection / revocation of discharge - \$727(c),(d),(e)		rdination of claim or interest.		
FRBP 7001(5) – Revocation of Confirmation ☐ 51-Revocation of confirmation		rdination of claim or interest HAS.		
FRBP 7001(6) – Dischargeability 66-Dischargeability - §523(a)(1),(14),(14A) priority tax claims 62-Dischargeability - §523(a)(2), false pretenses, false representation,		(0) Determination of Removed Action rmination of removed claim or cause		
actual fraud 67-Dischargeability - §523(a)(4), fraud as fiduciary, embezzlement, larceny		Case - 15 U.S.C. §§78aaa et.seg.		
(continued next column)	O2-Other	(e.g. other actions that would have been brought in state court related to bankruptcy case)		
Check if this case involves a substantive issue of state law	□ Check if	this is asserted to be a class action under FRCP 23		
Check if a jury trial is demanded in complaint	Demand \$	^		
Other Relief Sought Puni, 11VE SAMAGES & COMPENSATORY SAMAGES				

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B104 (FORM 104) (08/07), Page 2

BANKRUPTCY CASE IN WHICH THIS ADVERSARY PROCEEDING ARISES				
NAME OF DEBTOR UNIGWE STELLA	BANKRUPTCY CASE NO.	10-91637		
DISTRICT IN WHICH CASE IS PENDING NORTERN DISTRICT GEORGIA	DIVISION OFFICE	NAME OF JUDGE		
RELATED ADVERSARY F	PROCEEDING (IF ANY)			
DIBLASTELLE LEARNING CT AMERIC	UNITED STATES A & MAXIMUS THE	ADVERSARY PROCEEDING NO.		
DISTRICT IN WHICH ADVERSARY IS PENDING AFOR THE ROY DUS RICT GEOGTA	DIVISION OFFICE	NAME OF JUDGE SACCA.		
Stellallingue.				
DATE	PRINT NAME OF ATTORNE	EY (OR PLAINTIFF)		
12/17/2010.	STELLA CLAS	gue.		

INSTRUCTIONS

The filing of a bankruptcy case creates an "estate" under the jurisdiction of the bankruptcy court which consists of all of the property of the debtor, wherever that property is located. Because the bankruptcy estate is so extensive and the jurisdiction of the court so broad, there may be lawsuits over the property or property rights of the estate. There also may be lawsuits concerning the debtor's discharge. If such a lawsuit is filed in a bankruptcy court, it is called an adversary proceeding.

A party filing an adversary proceeding must also must complete and file Form 104, the Adversary Proceeding Cover Sheet, unless the party files the adversary proceeding electronically through the court's Case Management/Electronic Case Filing system (CM/ECF). (CM/ECF captures the information on Form 104 as part of the filing process.) When completed, the cover sheet summarizes basic information on the adversary proceeding. The clerk of court needs the information to process the adversary proceeding and prepare required statistical reports on court activity.

The cover sheet and the information contained on it do not replace or supplement the filing and service of pleadings or other papers as required by law, the Bankruptcy Rules, or the local rules of court. The cover sheet, which is largely self-explanatory, must be completed by the plaintiff's attorney (or by the plaintiff if the plaintiff is not represented by an attorney). A separate cover sheet must be submitted to the clerk for each complaint filed.

Plaintiffs and Defendants. Give the names of the plaintiffs and defendants exactly as they appear on the complaint.

Attorneys. Give the names and addresses of the attorneys, if known.

Party. Check the most appropriate box in the first column for the plaintiffs and the second column for the defendants.

Demand. Enter the dollar amount being demanded in the complaint.

Signature. This cover sheet must be signed by the attorney of record in the box on the second page of the form. If the plaintiff is represented by a law firm, a member of the firm must sign. If the plaintiff is pro se, that is, not represented by an attorney, the plaintiff must sign.

IN THE UNITED STATES BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF GEORGIA ATLANTA DIVISION

In Ref:	Ref: Case No.	
		Chapter 13
	A, INDIVIDUALLY, AND ARLY LEARNING CENTER, INC.	DEC 17 2010 AM09:0
	Debtor	BY:
	, INDIVIDUALLY, AND ARLY LEARNING CENTER, INC. Plaintiff,	HERK'S OFFICE MKRUPTCY COURT HERN DISTRICT OF GEORGIA GINA THOMAS, CLERK CLERK DEPUTY CLERK
vs.	Adversary Procee	ding#:
UNITED STATES	TERNAL REVENUE SERVICE (IF	RS),
	COMPLAINT FOR DAMAGE	ES

Comes now debtor / Plaintiff Stella Unigwe, individually, and d/b/a: Stella Early

Learning Center, Inc. files this her adversary complaint for damages against the

defendants violation of the Bankruptcy Automatic Stay Order, pursuant to 11 USC 362, and for violation of debtor / Plaintiff clearly established constitutional right to due – process, and equal protection of the laws under the fourteenth Amendment U.S. Constitution; & against the aforementioned named Defendants, individually, jointly, and separately. Thus, debtor / Plaintiff herein respectfully show the court as follows:

JURISDICTION AND VENUE

<u>(1).</u>

This Court has jurisdiction to consider the Complaint pursuant to 28 U.S.C. §1334(A) (b) and 28 U.S.C. §157(A) (B) (2); and also that the Court has the authority to enter a final judgment in this adversary proceeding because it constitutes a core proceeding arising under title 11 as contemplated by 28 U.S.C. §157(b) (1), and such other jurisdictional grounds the court may have in this case.

(2-A).

This Court jurisdiction to consider this Complaint is also evoke pursuant to 26 U.S.C. §7432 and 7433 authorizing taxpayer actions against the United States to recover limited damages resulting from specific types of misconduct by IRS employees.

(2-B).

Jurisdiction <u>may</u> also be conferred upon this Court pursuant to 28 U.S.C.A. sections 1331 and 1343 because matters in controversy arise under the Constitution and laws of the United States. Venue is proper as to claims stated herein.

<u>(2-C).</u>

Plaintiff also shows that to the extent defendant(s) named herein might have had any form of immunity(s) as to the Claims herein made against them, defendant(s) have "waived" said immunity(s) in accordance with Georgia - Tortuous Act (O.C.G.A. section: 50-21-20...et seq.); and in

accordance with Claims filed under 42 U.S.C.A. section: 1983, or as applicable herein.

(3).

Debtor/ Plaintiff Stella Unigwe, individually, and is a residence of Cobb County Georgia, and d/b/a: Stella Early Learning Center, Inc., (with a current city of Atlanta business license) located at 2330 Coronet Way Atlanta, GA. 30318.

<u>(4).</u>

Defendant Maximus, Inc. (VIRGINIA)., is a private company that operates, manages, & controls all financial transactions dealing with Debtor/ Plaintiff's business on behalf of all concern parties for the State of Georgia E-Government Child Care Revolutionizing Access, Service, and Payment Processing, located at 34 Peachtree Street. Atlanta, GA. 30303; and the name and address of its registered agent are: CSC CORPORATION Services, Inc. 40 TECHNOLOGY PKWY SOUTH, #300 NORCROSS GA 30092.

<u>(5).</u>

Defendant, UNITED STATES OF AMERICA, Acting through: INTERNAL REVENUE SERVICE (IRS) is subject to the jurisdiction of this court, and may be served through its lawyer Sally Quillian Yates, United States Attorney for the Northern District of Georgia, Richard B. Russell Federal Building 75 Spring Street, S.W. Suite 600 Atlanta, GA 30303-3309; and also to: the civil-process clerk at the United States attorney's office, Attorney General of the United States U.S. Department of Justice, 950 Pennsylvania Avenue, NW Washington, DC 20530-0001.

(6)

The United States IRS officer involved in this case & matter is Harvey Davis, Jr, individually, is a resident of the State of Georgia, and is located at 5240Snapfinger Park Drive, Suite 190, Decatur, GA. 30035.

PRELIMINARY STATEMENT

Plaintiff herein show that the facts contained therein this special pleading contain material facts between State actors & private \ entities that were intentionally done to implicate and violate the civil rights due process rights of Plaintiff under 42 U.S.C. section 1983.

<u>(7).</u>

This is also a civil rights action against all the defendants named and shown-herein for the depriving the Plaintiff Stella Unigwe, individually, and d/b/a: Stella Early Learning Center, Inc. of <u>well established</u> constitutional, <u>statutory</u>, and common law rights.

<u>(8).</u>

Specifically, this action also challenges Defendants denial of Plaintiffs rights secured under the first and fourteenth Amendments to the United States

Constitution (Art.1, U.S. Constitution, Art. X1V, U.S. Constitution), & also 42 U.S.C.A. section 1983, and as guaranteed by , U.S. Bankruptcy <u>statutory laws</u>.

<u>(9).</u>

Each of the acts of defendants alleged in this complaint(s) were done by defendants under the color of law and pretense of the statutes and laws of the United States and the State of Georgia, and under the authority of their office as employees, or agents of the United States; all of whom, acted as Corrupt conspirators.

(10)

Plaintiff alleges that each of the defendants performed, participated in, aided and/or abetted in some manner the acts averred in this action, proximately caused the damages averred in the complaint(s) before this honorable court, and are thus liable to Plaintiff for the damages and other relief sought in this action(s).

<u>(11).</u>

Based on information and belief, Plaintiff alleges that defendants, UNITED STATES OF AMERICA, Acting through: INTERNAL REVENUE SERVICE (IRS), was "responsible" for the training and supervision of Harvey Davis, Jr, their employees & Staff responsible for processing U.S. bankruptcy notices & Automatic Stay Orders of the Court; thus "liable" for all actions performed during their duties, in the "Taking and Giving" of directions and command for the use, or benefit defendants, by the aforesaid person(s); were these action(s) leads or contributed to any injury or violation of the rights of a citizen of the United States, to "due-process", rights to "liberty and freedom", and rights to equal protection of the law.

(12).

Based on information and belief, Plaintiff alleges that defendant, MAXIMUS, INC. (VIRGINIA)., was "responsible" for the training and supervision of their employees / Staff responsible for processing U.S. bankruptcy notices AND Automatic Stay Orders of the Court; thus "liable" for all actions performed during

their duties, in the "Taking and Giving" of directions and command for the use, or benefit defendants, by the aforesaid person(s); were these action(s) leads or contributed to any injury or violation of the rights of a citizen of the United States, to "due-process", rights to "liberty and freedom", and rights to equal protection of the law.

STATEMENT OF FACTS

Part "A'	•

<u>(13).</u>

Debtor //Plaintiff herein shows that she filed for an Order of Relief under Chapter

13 of Title 11 on 10/25/2010, and was assigned the case #: 10-91637., and that he
aforementioned case is still currently pending before this Court.

<u>(14).</u>

Debtor //Plaintiff shows that she is "Self-Employed" and operates a small day care business "Stella's Early Learning Center Inc." which she solely own, and depends on all income generated from her business to operate & survive with, and also to help service her chapter 13 bankruptcy payments & plan covering all her personal & business debts filed with the court under chapter 13 reorganization.

<u>(15).</u>

Debtor //Plaintiff also shows that her "Self-Employ" small business, Stella Early Learning Center, Inc., which she solely owned and manages, had previously transferred all of the corporate assets & Liabilities to her, individually, pursuant to a signed agreement entered before her pre-petition filing.

<u>(16).</u>

Debtor //Plaintiff shows that the aforesaid business is part of debtor's tools of trade use to generate revenues, and is also property of the estate that's exempted; and necessary for her reorganization.

(17).

Debtor //Plaintiff shows that the gravamen of this complaint, and adversary action is that despite Debtor //Plaintiff filing of her chapter 13 bankruptcy on October 25th, 2010, the Defendants (UNITED STATES OF AMERICA, Acting through: INTERNAL REVENUE SERVICE (IRS), & MAXIMUS, INC. (Virginia), acting separately and jointly, wrongfully, willfully, and maliciously, collected and paid a "Pre-Petition debts" from Plaintiff's financial business account with Maximus, Inc., without Plaintiff prior consent; and without asking the order of the Court to lift the automatic stay Order that's currently in place, before taking the aforesaid action(s) as herein described.

<u>(18).</u>

Debtor //Plaintiff shows that Maximus, Inc. (Virginia) is a private company that operates, manages, & controls all financial transactions dealing with Debtor/Plaintiff's business child care services, on behalf of all concern parties, and that the Defendants were both listed on the creditors list filed with the Court, and were sent notice of Debtor Bankruptcy petition filing which they all received by the Court.

(19).

Debtor //Plaintiff shows that On or about October 29th, 2010, Debtor / Plaintiff after listing and filing as "creditors or concern parties" in her bankruptcy petition the names of Defendants with the Court, <u>WERE</u> also sent and faxed both Defendants a copy of her bankruptcy petition which shows her business I.D. numbers, and her social security numbers with a cover letter attached to it, notifying all "Concern Parties / creditors" of the court Automatic stay order.

See: Exhibit "A -1".

<u>(20).</u>

Debtor //Plaintiff shows that On or about October 29th, 2010, Debtor / Plaintiff after properly listed the names & address of the Defendants, as "creditors or concern parties" on her bankruptcy petition which shows her business I.D. numbers, and her social security numbers with a cover letter attached to it, notifying all "Concern Parties / creditors" of the court Automatic stay order.

; and even after the Court clerk's office "properly sent (mailed) defendants notice of debtors bankruptcy petition filing", they still failed to honor the notice and automatic stay order when they took monies from debtors business account

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with Maxamus; knowing full well that the company (Stella Unigwe, d/b/a: Stella Early Learning Center).

See: Exhibit "A -1" (Matrix list of debtor creditor's names & addresses).

<u>(21).</u>

Debtor //Plaintiff shows that On or about October 29th, 2010, Debtor / Plaintiff after properly listed the names & address of the Defendants, as "creditors or concern parties" on her bankruptcy petition Matrix list of debtor creditor's names & addresses . and that the Court clerk's office "properly served defendants a notice of debtors bankruptcy petition filing", and that they still failed to honor the notice and automatic stay order.

See: Exhibit "A-2".

<u>(22).</u>

Debtor //Plaintiff shows that On November 4th & 5th 2010, her business financial account with Maximus, Inc(Virginia), was debited in the total amount of \$11,994.00 by both Defendants as payment for an I.R.S. Lien that existed "prebankruptcy petition".

See: Exhibit "B".

<u>(23).</u>

Debtor //Plaintiff shows that was confused as to the aforesaid charge and action, as it was unbeknownst to her who authorized it for it was not something she had previously given prior consent to.

<u>(24).</u>

Debtor //Plaintiff shows that upon realization of the aforesaid action & charge,
Plaintiff communicated by phone with the Defendants, and sent messages to the
Defendants requesting that the aforementioned amount taken from her account, be
returned and credited back to her business account with Maximus, Inc (Virginia)
without delay.

See: Exhibit "C".

<u>(25).</u>

Debtor //Plaintiff shows that Defendant Maximus, Inc. (Virginia). responded by stating that the debtor / Plaintiff contact the I.R.S. officer (Harvey Davis, Jr,) who told them days after receiving her notice of bankruptcy petition, to debit the debtor

financial account with them, for the Plaintiff to make payment arrangements directly with I.R.S. and HARVEY DAVIS, JR; and not with the bankruptcy court.

See: Exhibit "D".

(26).

Debtor //Plaintiff shows that she promptly called the I.R.S. officer (Mr. Harvey Davis. Jr.) Via phone at (404) 338 9647 and via Fax line (404) 338-9726 requesting that the monies taken from her business account <u>based</u> on "pre-petition Liens" need to be turn over back immediately to her Maximus, Inc. (Virginia) business account; but Defendant (UNITED STATES OF AMERICA, Acting through: INTERNAL REVENUE SERVICE (IRS) <u>failed to respond.</u>

<u>(27).</u>

Debtor //Plaintiff shows that both the Defendants herein aware, and should have been aware that Debtor had filed for bankruptcy reorganization under chapter 13, and that's an Automatic Stay Order is in place when they took their actions; and that they knew or should have known that the Automatic Stay Order "protects" the debtor and her business interest from pre-petition liens or claims.

(28).

Debtor //Plaintiff shows that on or about September 30th, 2010 all of the corporation assets & Liabilities of "Stella Early Learning Center, Inc." which she solely owned, control, and manages was transferred / sold to Debtor, individually, pursuant to a signed agreement.

See: Exhibit "E-1" enclosed herein.

<u>(29).</u>

Debtor //Plaintiff show she is a "Self-Employ" Nigerian U.S. citizen with a small day care business known as Stella Early Learning Center Inc., of about (15) fifteen kids, and with two (2) part time staff employees; and she is a mother of three kids.

(30).

Debtor //Plaintiff show that without the funds illegally or improperly collected by the respondents, there would be no funds left for the debtor to operated her self-employed day care business, and pay her staff salaries or will she be able to take her of own children, personal home expenses, and or to effectively be able to

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<u>reorganize</u> before this court; thus, being also denied a fundamental right as a U.S. Citizen to equal protection of the laws

<u>(31).</u>

Debtor // Plaintiff also shows that the actions of the defendants if allow to continue, would cause more severe <u>hardship</u> on the debtor <u>and on other Creditors</u> listed on debtor's bankruptcy chapter 13 petition; and that the Plaintiff would not be able to pay the balance of any court cost due and owed to this court.

STATEMENT OF FACTS

Par	rt "B"

<u>(32).</u>

Debtor //Plaintiff shows that on December 2nd 2010, defendant (IRS officer, Mr. Davis) sent debtor mailings asking debtor to contact defendant (IRS) about determination of liability on a pre-petition debt after receiving notice of automatic

stay order that was sent and faxed both Defendants by both the debtor and the court clerk's office; and that the debtor felt been harassed and intimidated by the above action(s).

See: enclosed Exhibit

(33).

Debtor //Plaintiff shows that again on December 6th 2010, defendant (IRS office Mr. Davis) sent debtor <u>mailings asking debtor</u> to contact defendant about prepetition payments, determination of liability on a pre-petition debts; despite receiving notice of automatic stay order that was sent or faxed to both Defendants by both the debtor <u>and by the court clerk's office</u>; and that the debtor felt been harassed and intimidated by the above collection action(s) by the defendants.

See: enclosed Exhibit.

<u>(34).</u>

Debtor //Plaintiff shows that On or about that again on December 6th 2010

October 29th, 2010, Debtor / Plaintiff after properly listed the names & address of the Defendants, as "creditors or concern parties" on her bankruptcy petition; and

that the Court clerk's office also "properly gave or notified defendants a of debtors bankruptcy petition filing", and that they still failed to honor the notice and automatic stay order of this court.

See: Exhibit "A -2" (Matrix list of debtor creditor's names & addresses).

(35).

Plaintiff shows that defendants herein violated her civil rights under the color of law (U.S. Internal Revenue Laws or rules); and that defendants actions against Plaintiff when they violated the U.S. Bankruptcy Court Automatic Stay Order on each and all occasion as stated in this complaint, defendants did violate Plaintiff civil rights not to be deprive of her property (\$11,994.00), liberty & freedom, without "due process", and to be accorded the "Equal-protection" of the U.S. Bankruptcy laws she relied on, and as further guaranteed under the fourteenth Amendment to the United States Constitution (Art, X1V, U.S. Constitution).

FIRST CLAIM FOR RELIEF

Art.X1V, U.S. Constitution, 42 U.S.C.A.-1983 VIOLATION OF EQUAL PROTECTION OF LAW On the bases of National Origin

<u>(36).</u>

Plaintiff herein incorporates by reference and re-alleges all of the preceding paragraphs of this complaint as if fully set forth herein:

(37).

Debtor //Plaintiff shows that the above conduct by the defendants violated the right of Plaintiff not to be deprived of the equal protect of the laws on the basis of National origin under the fourteenth Amendment constitution, (Art. X1V, U.S. Constitution).

<u>(38).</u>

In addition to the above, Plaintiff shows that defendants after receiving notice of the Court Automatic stay order that was sent and faxed to both Defendants by the debtor and by the court clerk's office; on or about October 29th, 2010, defendants neglected to wait after receiving the notice of bankruptcy filing, and subjected Plaintiff to intentionally debiting the account of the company she solely owed.

However, under normal circumstances, Defendants will not subject other persons born in United States, given the same bankruptcy stay order notice as aforesaid herein; and in so doing or by not performing the aforesaid equal treatment and requirements, defendants have subjected Plaintiff to adverse treatment(s) as a result thereof.

<u>(39).</u>

Plaintiff shows that the defendants, by refusing not to honor U.S. bankruptcy stay order notice usage, and customs, In obeying U.S. bankruptcy stay orders, notices as aforesaid, to and of whom Defendants disapproved, while honoring such requirements as aforesaid to similar persons whom Defendants approved,

Defendants have in effect, created two classes of African American Citizens; one

born in America by a slave descendant of Africa, and the other one(s) born by a non-slave descendant of Africa as an America citizen; such as or like most Nigerians here in the U.S.

(40-A).

Plaintiff shows there is no rational bases for Defendants treatment of the Plaintiff or for the classification Defendants have created. The course of conduct taken by, or attributed to Defendants is not tailored to further any legitimate, substantial or compelling interest. Accordingly, their conduct violates the equal protection guarantee found in Art. X1V. U.S. Constitution.

(40-B).

Plaintiff shows that it is well established that some or most Americans like

Defendants employees, have dislike for African American citizens especially, of

African Americans decent not born here in the U.S.; and that the Plaintiff is an

African American citizen of Nigeria decent, who has provided valuable services

over the years to her country (U.S.A) community, by creating jobs for other

families over the years, and by taking good care of thousands of little children in

the community through the Day (Stella Early Learning Center, Inc.) business

which she solely owned.

<u>(41).</u>

Plaintiff shows that as a result of Defendants unconstitutional actions, Plaintiff has suffered substantial injuries beyond doubt; including and not limited to: personal injuries, financial losses, emotional pain, and mental anguish; and for anyone to question the validity of the truth contained herein, such a person(s), need only to go through what Plaintiff went through and still is going through, to understand the seriousness of the damages.

(42).

The acts of the Defendants herein were performed knowingly, recklessly, intentionally, and maliciously, by reason of which Plaintiff / debtor is entitled and request that the Court award actual damages, of \$11,994.00, plus punitive damages in the amount of \$500,000.00, for an aggregate award of \$511,994.00, to be supplemented, if necessary, by an additional award of punitive damages in the amount of \$1,500 per calendar day for any subsequent stay violation by the defendants in this case; and with post judgment interest on such sums at the current federal post-judgment interest rate(0.58% or as adjusted) until paid, with all court costs, if any, taxed against the Defendants individually, and jointly according to

proof by Plaintiff against all defendants in their individual capacity; and <u>FOR</u>

<u>EACH OF THE TIME</u> defendant(s) violated the U.S. Bankruptcy Automatic

Stay Order as stated herein this Complaint (for on or about 11/05/10, 12/02/10, 12/06/10 & thereafter).

SECOND CLAIM FOR RELIEF

UNDER

Art. X1V U.S. Constitution, 42 U.S.C.A.1983

Right not to deprive of liberty or "property"

Without due process of the law

(43).

Plaintiff herein incorporates by reference and re-alleges all of the preceding paragraphs of this complaint as if fully set forth herein:

(44).

The above conduct by the defendants violated the right of Plaintiff not to be deprived of liberty or "property" (Plaintiff's \$11,994.00) without due process of law protected under the fourteenth Amendment constitution, (Art. X1V, U.S. - Constitution).

<u>(45).</u>

In addition to the above, Plaintiff shows that defendants on or about November 4th, 2010, <u>agreed to intentionally refuse</u> or <u>neglect</u> to obey U.S. bankruptcy stay order notice issue to defendants, as as required under U.S. Bankruptcy law, <u>before</u> subjecting Plaintiff to the actions contained herein; and that in so doing <u>or</u> in not performing the aforesaid <u>requirements</u>, defendants conspire to subject Plaintiff to adverse treatment(s), loss of liberty and property, and as a result of their <u>Conspiracy</u> fully outlined in this and <u>all</u> the pleadings and complaint(s) filed or knowing full well <u>or</u> should have known fully well that the U.S. bankruptcy automatic stay order notice should have been followed, and that by so doing, the Defendants were in violation of State and federal bankruptcy automatic stay order Notice / law.

<u>(46).</u>

Plaintiff shows there are no rational bases for Defendants treatment of the Plaintiff; the course of conduct taken by, or attributed to Defendants is not tailored to further any legitimate, substantial or compelling interest. Accordingly, their conduct violates Plaintiff's rights not to be deprived of liberty or "property" without due process of law guaranteed under Art. X1V. U.S. Constitution.

(47).

Plaintiff shows that as a result of Defendants unconstitutional actions, Plaintiff has suffered substantial injuries beyond doubt; including and not limited to: medical injuries, career injuries, financial losses, emotional pain, and mental anguish; and for anyone to question the validity of the truth contained herein, such a person(s), need only to go through what Plaintiff went through and still is going through, to understand the <u>seriousness</u> of the damages

(48).

The acts of the Defendants herein were performed knowingly, recklessly, intentionally, and maliciously, by reason of which Plaintiff / debtor is entitled and request that the Court award actual damages, of \$11,994.00, plus punitive damages in the amount of \$500,000.00, for an aggregate award of \$511,994.00,

to be supplemented, if necessary, by an additional award of punitive damages in the amount of \$1,500 per calendar day for any subsequent stay violation by the defendants in this case; and with post judgment interest on such sums at the <u>current</u> federal post-judgment interest rate(0.58% or as adjusted) until paid, with all court costs, if any, taxed against the Defendants individually, and jointly according to proof by Plaintiff against all defendants in their individual capacity.

THIRD CLAIM FOR RELIEF

USE OF CONSPIRACY TO DEPRIVE RIGHTS GUATRANTED UNDER

Art. X1V U.S. Constitution, 42 U.S.C.A.1983

<u>(49).</u>

Plaintiff herein incorporates by reference and re-alleges all of the preceding paragraphs of this complaint as if fully set forth herein:

<u>(50).</u>

Plaintiff herein shows that the Defendants, in doing the acts and things complained of before this Court, the Defendants were conspirators by "agreement", conduct, and action(s), engaged in a scheme and conspiracy designed and intended to deny and deprive Plaintiff of rights guaranteed to her under the Constitution and laws of the United States and in particular those herein enumerated in the relief's sought here in this complaint.

<u>(51).</u>

The above conduct by the defendants violated the rights of Plaintiff not to be deprived of liberty or property (\$11,994.00) without due process of law, equal protection under the law, and to be secured in person against unreasonable searches, and seizure guaranteed, and protected under the fourteenth Amendment of U.S. Constitution, (Art. X1V, U.S. - Constitution).

<u>(52).</u>

In addition to the above, Plaintiff shows that defendants on or about November 4th, 2010 <u>agreed, to intentionally fail</u> or <u>neglect</u> to obey the U.S. Bankruptcy court Automatic Stay Order issued on October 25th, 2010 issued to all concerned parties,

and/or as required under the U.S. Bankruptcy laws, policy, usage, or customs, in issuing Automatic Stay Orders as routinely provided the United States Bankruptcy laws, to other persons born in United States before subjecting a Plaintiff "after reaching an agreement", not to obey the U.S. Bankruptcy court Automatic Stay Order. In so doing or in not performing the aforesaid requirements defendants conspire to subject Plaintiff to adverse treatment(s), loss of liberty and property, as a result of their Conspiracy fully outlined in this and all the pleadings and complaint(s) filed in this Court knowing full well or should have known fully well that the U.S. Bankruptcy court Automatic Stay Order issued on October 25th, 2010 must be obeyed by all concern parties who receive such notice; and that by so not doing, the defendants were in violation of the aforesaid federal law.

<u>(53).</u>

Plaintiff shows there are no rational bases for Defendants treatment of the Plaintiff as aforesaid; and that the course of conduct taken by, or attributed to, Defendants is not tailored to further any legitimate, substantial or compelling interest.

Accordingly, their conduct violates Plaintiff's rights not to be deprived of liberty or property (\$11,994.00) without due process of law guaranteed under Art. X1V. U.S. Constitution by way of any conspiracy(s).

<u>(54).</u>

Plaintiff shows that as a result of Defendants conspiracy(s) and unconstitutional actions, Plaintiff has suffered substantial injuries beyond doubt; including and not limited to: financial losses, emotional pain, and mental anguish; and for anyone to question the validity of the truth contained herein, such a person(s), need only to go through what Plaintiff want through and still is going through, to understand the seriousness of the damages or injuries.

(55).

The acts of the Defendants were performed knowingly, recklessly, intentionally, maliciously, and by agreement of all the defendants named in this complaint; by reason of which Plaintiff is entitled and request that the Court award actual and Compensatory damages, and Punitive damages in the amount of \$4 million dollars; and/or in an amount to be determined according to proof by Plaintiff against all defendants in their individual capacity(s); and to be supplemented by an additional award of punitive damages in the amount of \$1,500 per calendar day for any subsequent stay violation by the defendants in this case; with all court costs, if any, taxed against the Defendants individually, and jointly.

FOURTH CLAIM FOR RELIEF

RETALIATION AGAINST EXCERCISE OF

FREEDOM OF SPEECH

RIGHTS GUATRANTED UNDER

Art. X1V U.S. Constitution, 42 U.S.C.A.1983

<u>(56).</u>

Plaintiff herein incorporates by reference and re-alleges all of the preceding paragraphs of this complaint as if fully set forth herein

<u>(57).</u>

Plaintiff herein shows that the Defendants, in doing the acts and things complained of before this Court, the Defendants were conspirators by "agreement", conduct, and action(s), engaged in a scheme and conspiracy designed and intended

to deny and deprive Plaintiff of rights guaranteed to him under the Constitution and bankruptcy laws of the United States and in particular those herein enumerated in the relief's sought here in this complaint.

(58).

The above conduct by the defendants violated the rights of Plaintiff not to be subjected to any retaliation for the right to exercise Of <u>freedom of speech rights</u>, liberty without due process of law, or equal protection under the law, and to be secured in person against unreasonable searches, and seizure guaranteed, and protected under the fourteenth Amendment of U.S. Constitution, (Art. X1V, U.S. - Constitution).

<u>(59).</u>

In addition to the above, Plaintiff shows that defendants on November 4th, 2010, agreed to intentionally fail or neglect to obey the U.S. Bankruptcy court

Automatic Stay Order issued on October 25th, 2010 issued to all concerned parties, as required under U.S. Bankruptcy court policy, usage, or customs, in issuing

Automatic Stay Orders to other persons born in United States before subjecting the Plaintiff to the mistreatments contained herein this complaint, "after reaching an

<u>requirements</u>, defendants conspire to subject Plaintiff to adverse treatment(s), loss or deprivation of liberty and her property, as a result of their <u>Conspiracy</u> fully outlined in this complaint to this Court.

<u>(60).</u>

Plaintiff shows there are no rational bases for Defendants treatment of the Plaintiff; the course of conduct taken by, or attributed to, Defendants is not tailored to further any legitimate, substantial or compelling interest. Accordingly, their conduct violates Plaintiff's rights not to be deprived of liberty (freedom) without due process of law guaranteed under Art. X1V. U.S. Constitution by way of any conspiracy(s).

(61).

Plaintiff herein shows that on 10/25/10, when she filed for chapter 13 bankruptcy, and notified the defendants of it, defendants displayed a feeling of dissatisfaction towards Plaintiff about her chapter 13 bankruptcy filing; and insist that the Plaintiff/ debtor should make payments directly to the I.R.S., instead of through the Bankruptcy courts.

(62).

Plaintiff showed that because Plaintiff only wanted to honestly reorganize her financial condition, did she filed for chapter 13 bankruptcy, and that the Defendants acting together, "retaliated" by debiting the debtors day care business which she owns 100%.

<u>(63)</u>

Plaintiff herein shows that the above-described conduct by the defendant(s) violated Plaintiff's right to freedom of speech under the first Amendment of the United States Constitution Art. 1. U.S. Constitution by retaliation(s), chilling, and "deterring" Plaintiff from wanting to exercise her right as aforesaid herein.

<u>(64).</u>

Plaintiff herein shows that the aforesaid acts of the Defendant(s) were performed knowingly, recklessly, intentionally, maliciously, and by agreement of all the defendants; by reason of which Plaintiff is entitled and request that the Court award actual, & Compensatory damages, including **Punitive** damages in the

amount of <u>\$1.5 million dollars</u>; or in an amount to be determined according to proof by Plaintiff against all defendants in their individual capacity(s) <u>FOR EACH</u>

<u>TIME</u> defendant(s) violated the U.S. Bankruptcy Automatic Stay Order as stated herein this Complaint (for on or about 11/05/10, 12/02/10, 12/06/10 & thereafter).

Dated this 15th Day of December, 2010.

Respectfully Submitted:

By: Stellallingue

Stella Unigwe, d/b/a: Stella Early Learning Center. (Chapter 13 Debtor)

2330 Coronet Way, Atlanta, Ga. 30318.

(770)514 -0722, and (404) 351 -8087.

VERIFICATION

Personally appearing before the undersigned dully authorize officer of oath is Stella Unigwe, Individually, and d/b/a: Stella Early Learning Center. (Chapter 13 Debtor), after first being sworn deposes and states that the facts, allegations, and exhibits contained in this COMPLAINT, is true and correct to the best of my knowledge and belief.

By: Stellallingue

Stella Unigwe,Individuaaly; and d/b/a:

Stella Early Learning Center, Inc.

Sworn to and subscribe before Me

This 15th, day of December 2010

Bv:

Notary Public.

My commission expires:

ROBBIE COCHRAN

NOTARY PUBLIC

Paulding County - State of Georgia My Comm. Expires July 28, 2012

EXHIBITS

EXHIBITS: BANKRUPTCY NOTICES SENT TO DEFENDANTS: VIA: FAX. CONFIRMED O.K. THAT IT WAS RECEIVED. FUNEDS WITHDRAWN FROM DEBTER'S BUSINESS ACCOUNTS After THEY WERE TWEEKED OF BANKRUPTCY FILING BY DEFENDANTS I.R.S. MAXIMUS. DEMAND LETTER GORETURN FUNEDS SENT TO DEFENDANTS WHICH THEY RECEIVEDEREFUSED. -> EVIDENCE SHOWING THAT I.R.S. AND MAXIMUS ACTED POGETHER TO WITHRAWN PLACETH FRINCAS IN VIOLATIONS OF STAY ORDER. CORPORATE RESOLUTION AND STATEMENT SHOWING THAT THE PLAINTIFF IS THE SOLE OWNER OF STELLA'S EARLY LEARNING CTITLE - VIOLATION OF CTAN ROLLINUES VIOLATION OF STAY ORLER AFTER DECEMBER 157 HEARING, AND BANKRUPTCY FILING MOTICE RECEIVE CREDITIORS LIST SHOWING GHAT I.R.S. & MAKINGS WAS PROPERLY GISTER & SERVEL. BY THE COURT AND DY PLAINTIFF.

To: Internal Revenue Service

PO Box 105050

Atlanta, GA 39901-0002

Attn: Marsha Moore & Harvey Davis.

Fax#: (404) 338-9726.

To: Bank of America – Legal Department.

P. O. Box 25118. Tampa, FL. 33622.

To: Maximus

34 Peachtree Street. Suite #: 2400.

Atlanta, Ga. 30303.

Fax#: (404) 601-1030.

From: Stella Early Learning Center and c/o. Stella Unique. SS#:0632, EIN#: 58-1939421, and 58-1848279. 2330 Coronet Way. N.W. Atlanta, Ga. 30318-2116.

Subject: Notification of Bankruptcy Case Filing; and Request to Release Hold on Debtor's Business Financial Accounts.

Dated: October, 29th, 2010.

Sent: Via Fax, U.S. Mail

Sir/ Madam:

Enclosed please find YOUR NOTICE AND PROOF OF Bankruptcy case filing (#: 10-91637) by Debtor Stella Unique, 100% sole owner, and d/b/a: Stella Early Learning Center just filed on October 25th, 2010.

Based on the within notification and request, you are required to release all your current hold, freeze, or levy on debtor's business & personal financial banking accounts, and /or financial transactions accounts under your control or direction; in compliance with 11 U. S. C. section 362 (A) Automatic Stay- without delay; and Failure of which, is sanctionable under same code.

The following financial account(s) numbers, SS#, or ENI #'s are currently being held by you based on your direction, or are under your control, and said hold or levy need to be released to enable debtor's current post-petition Bankruptcy plan, and financial activities:

- (1). Bank America (Act#: 003265451940 & Act#: 003252938859).
- (2). Maximus (58-1939421, and 58-1848279).
- (3). I.R.S. SS#:0632, EIN#: 58-1939421, and 58-1848279.

Yours Truly.

Enclosure:

CC: 083055

Case 10-06689-jrs Doc 1 F

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Document Pa	age 43 of 56	() (7)	<u> </u>	/_/	<i>l</i> /

B1 (Official Form 1) (4/10)	= 0.00	- 90 .00	·		
United States Bai Northern District of (Georgia.	. <u></u>	VOCUNTARY PETITION		
Name of Debtor (if individual, enter Last, First, Middle UNIQWE STELLA,	9):	Name of Joint Debtor (Spouse) (Last, First, Middle):			
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):	A:		mes used by the Joint Debtor in the last 8 years ried, maiden, and trade names):		
Stella Early Learning Center, Inc.	(IPPN)(C	I gat Farm 12:	ite of See See or Individual Tenance I.D. (ITBD/C)		
Last four digits of Soc. Sec. or Individual-Taxpayer I.D (if more than one, state all): 0632, 58 -1939421, and 58 -1848279,		(if more than	its of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN one, state all):		
Street Address of Debtor (No. and Street, City, and State 2330 Coronet way N.W.	te):	Street Addres	is of Joint Debtor (No. and Street, City, and State):		
Atlanta, Ga. 30318-2116.					
	ZIP CODE	Court of D	Sidence or of the Principal Place of Business:		
County of Residence or of the Principal Place of Busine Fulton County					
Mailing Address of Debtor (if different from street address	ress):	Mailing Addr	ress of Joint Debtor (if different from street address):		
Location of Principal Assets of Business Debtor (if diffi	ZIP CODE	11	1 C Q PEP CODE		
			ZIP CODE		
Type of Debtor (Form of Organization) (Check one box.)	Nature of Busine (Check one box.)		Chapter of Bankruptcy Code Under Which the Petition is Filed (Check one box.)		
✓ Individual (includes Joint Debtors)	Health Care Business Single Asset Real Estate	as defined in	☐ Chapter 7 ☐ Chapter 15 Petition for ☐ Chapter 9 Recognition of a Foreign		
See Exhibit D on page 2 of this form. Corporation (includes LLC and LLP)	11 U.S.C. § 101(51B) Railroad		Chapter 7 Chapter 15 Petition for Recognition of a Foreign Main Proceeding Chapter 12 Chapter 15 Petition for Recognition of a Foreign Main Proceeding Chapter 12 Recognition of a Foreign		
Partnership Other (If debtor is not one of the above entities,	Stockbroker Commodity Broker		Chapter 13 Recognition of a Foreign Nonmain Proceeding		
check this box and state type of entity below.)	Clearing Bank				
			Nature of Debts (Check one box.)		
	Tax-Exempt Enti (Check box, if applica		☐ Debts are primarily consumer ☑ Debts are primarily		
	Debtor is a tax-exempt of		debts, defined in 11 U.S.C. business debts. § 101(8) as "incurred by an		
	under Title 26 of the Uni Code (the Internal Reven		individual primarily for a personal, family, or house-		
Filing Fee (Check one box	x.)	<u> </u>	hold purpose." Chapter 11 Debtors		
Full Filing Fee attached.		Check one bu			
Filing Fee to be paid in installments (applicable to	individuals only) Must attach		is not a small business debtor as defined in 11 U.S.C. § 101(51D).		
signed application for the court's consideration cei unable to pay fee except in installments. Rule 100	rtifying that the debtor is	Check if: Debtor's	s aggregate noncontingent liquidated debts (excluding debts owed to		
	•	insiders	or affiliates) are less than \$2,343,300 (amount subject to adjustment		
Filing Fee waiver requested (applicable to chapter 7 individuals only). attach signed application for the court's consideration. See Official Fo		on 4/01/13 and every three years thereafter). Check all applicable boxes:			
		A plan is being filed with this petition. Acceptances of the plan were solicited prepetition from one or more class			
			tors, in accordance with 11 U.S.C. § 1126(b).		
Statistical/Administrative Information		•	THIS SPACE IS FOR COURT USE ONLY		
Debtor estimates that funds will be available for distribution to unsecured creditors. Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.					
Estimated Number of Creditors			0CT 25 2040 PMO1:47		
1-49 50-99 100-199 200-999),001- 25	5,002- 50,001- Over		
	5,000 10,000 25	5,000 50	100,000 100,000		
Estimated Assets					
		\$100 to	100,0 100 10 \$500,000,001 More that \$\frac{1}{2} \text{ is \$1 billion \$\mathbb{Z}\$ 1 billion \$\mathbb{Z}\$		
			illion S S S S S S S S S S S S S S S S S S S		
\$50,000 \$100,000 \$500,000 to \$1	to \$10 to \$50 to	\$100 to	00,000 10 5500,000,001 More than \$2.50 \$1 billion \$1 billion		
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Case 10-06689-jrs Doc 1 Filed 12/17/10 Entered 12/17/10 09:23:56 Desc Main 11/16 Document Page 44 of 56

TRANSMISSION VERIFICATION REPORT

10/29/2010 11:11 COBB LAW LIBRARY 7705281162 TIME NAME

7705281884 000M7N339008

DATE,TIME FAX NO./NAME DURATION

94043389726 00:01:07 STANDARD

T. R.S.

To: Internal Revenue Service

PO Box 105050

Atlanta, GA 39901-0002

Attn: Marsha Moore & Harvey Davis.

Fax#: (404) 338-9726.

To: Bank of America - Legal Department.

P. O. Box 25118. Tampa, FL. 33622.

To: Maximus

34 Peachtree Street. Suite #: 2400.

Atlanta, Ga. 30303.

Fax#: (404) 601-1030.

From: Stella Early Learning Center and c/o. Stel a Unique.

SS#:0632, EIN#: 58-1939421, and 58-1848279.

2330 Coronet Way. N.W. Atlanta, Ga. 3)318-2116.

Subject: Notification of Bankruptcy Case Filing; and Request to Release Hold on Debtor's Business Figancial Accounts.

Dated: October, 29th, 2010.

Sent: Via Fax, U.S. Mail

Case 10-06689-jrs Doc 1 Filed 12/17/10 Entered 12/17/10 09:23:56 Desc Main

Document Page 45 of 56

TRANSMISSION VERIFICATION REPORT

TIME : 10/29/2010 11:15 NAME : COBB LAW LIBRARY FAX : 7705281162

FAX : 7705281162 TEL : 7705281884 SER.# : 000M7N339008

DATE, TIME FAX NO./NAME DURATION PAGE(S) RESULT 10/29 11:13 94046011030 00:01:08 03 OK STANDARD

MAXIMUS.

To: Internal Revenue Service

PO Box 105050

Atlanta, GA 39901-0002

Atm: Marsha Moore & Harvey Davis.

Fax#: (404) 338-9726.

To: Bank of America - Legal Department.

P. O. Box 25118. Tampa, FL. 33622.

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Dated: October, 29th, 2010.

Sent: Via Fax, U.S. Mail

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(Rev. July, 2002)

Cepartment of Referration - Wernat Revenue Service

DATE: 11/04/2010

Notice of Levy

MAXIMUS INC.

34 PEACHTREE ST

ATLANTA, GA 30303

REPLY TO: Internal Revenue Service

HARVEY DAVIS JR

TELEPHONE NUMBER

OF IRS OFFICE: (404)338-9647

5240 SNAPFINGER PARK DRIVE STE 190
DECATUR, GA 30036
LIEW ACTIVATED FOR DEPARTMENT AND ADDRESS OF TAYBAYED.

STELLAS EARLY LEARNING CTR - 1766 2330 CORONET WAY NW

ATLANTA, GA 30318-2116

1710412- 5518.06

710413-4

ENTIPYING NUMBER(S): 58-1939421

THIS IS NOT A BILL FOR TAXES YOU OWE. THIS IS A NOTICE OF LEVY WE ARE USING TO COLLECT MONEY OWED BY THE TAXPAYER NAMED ABOVE.

Kind of Tax	Tax Period Ended	Unpaid Balance of Assessment	Statutory Additions	Total
941	12/31/2001	\$7,215.22	\$4,203.12	\$11,418.34
941	12/31/2002	\$33,236.52	\$12,237,10	\$45,473.62
941	09/30/2003	\$10,301.36	\$4,744.55	\$15,045.91
941	12/31/2003	\$4,711.48	\$2,133,59	\$6,845. 07
941	03/31/2004	\$10,583.09	\$ 4,592.57	\$15,175.66
941	06/30/2004	\$9,314.85	\$3,793.41	\$13,108.26
941	09/30/2004	\$11.512.94	\$4,152.93	\$1 5,66 5.87
941	03/31/2005	\$4,947.93	\$1,753.92	\$6,70 1.85
941	06/30/2005	\$4,405.22	\$1,493.93	\$5,899 .15
NS. OR ANY OTHE	R RETIREMENT PLANS IN YOU	PLOYED INDIVIDUALS' RETIREMENT R POSSESSION OR CONTROL,	Total Amount Due	See page 4

We figured the interest and late payment penalty to 12/04/2010

The Internal Revenue Code provides that there is a lien for the amount that is owed. Although we have given the notice and demand required by the Code, the amount owed hasn't been paid. This levy requires you to turn over to us this person's property and rights to property (such as money, credits, and bank deposits) that you have or which you are already obligated to pay this person. However, don't send us more than the "Total Amount Due."

Money in banks, credit unions, savings and loans, and similar institutions described in section 408(n) of the internal Revenue Code <u>must be held for 21 calendar days</u> from the day you receive this levy before you send us the money. Include any interest the person earns during the 21 days. Turn over any other money, property, credits, etc. that you have or are already obligated to pay the taxpayer, when you would have paid it it this person asked for payment.

Make a reasonable effort to identify all property and rights to property belonging to this person. At a minimum, search your records using the taxpayer's name, address, and identifying number(s) shown on this form. Don't offset money this person owes you without contacting us at the telephone number shown above for instructions. You may not subtract a processing fee from the amount you send us.

To respond to this levy —

1. Make your check or money order payable to United States Treasury.

2. Write the taxpayer's name, identifying number(s), kind of tax and tax period shown on this form, and "LEVY PROCEEDS" on your check or money order (not on a detachable stub.).

3. Complete the back of Part 3 of this form and mail it to us with your payment in the enclosed envelope.

4. Keep Part 1 of this form for your records and give the taxpayer Part 2 within 2 days.

If you don't owe any money to the taxpayer, please complete the back of Part 3, and mail that part back to us in the enclosed envelope.

Signature of Service Representative

HARVEY DAVIS JR

Tille

RÉVENUE OFFICER

Part 1 -For Addressee Catalog No. 35389E www.irs.gov Form 668-A(ICS) (7-2002)

EXHIBIT! E

@ars@110-06689-irs

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Notice of Levy

m 668-A(ICS)

Ocumen Department of the Treasury Internal Revenue Service

(Rev. July 2002)

DATE: 11/04/2010

REPLY TO: Internal Revenue Service

HARVEY DAVIS JR

5240 SNAPFINGER PARK DRIVE STE 190

DECATUR, GA 30035

TELEPHONE NUMBER

OF IRS OFFICE: (404)338-9647

NAME AND ADDRESS OF TAXPAYER:

STELLAS EARLY LEARNING CTR

2330 CORONET WAY NW ATLANTA, GA 30318-2116

MAXIMUS INC. 34 PEACHTREE ST ATLANTA, GA 30303

IDENTIFYING NUMBER(S): 58-1939421

STEL

Kind of Tax	Tax Period Ended	Unpaid Balance of Assessment	Statutory Additions	Total
941	09/30/2005	\$9, 568.07	\$2,904.88	\$12,472.95
941	03/31/2006	\$5,822.11	\$1,515.69	\$7,337.80
941	06/30/2006	\$16,042.66	53,924.60	\$ 19,967.26
941	09/30/2006	\$12,754.29	\$1,093.54	\$13,847.83
941	03/31/2007	\$9,474.68	\$1,620.47	\$11,095.15
941	06/30/2007	\$10,682.55	\$1,576.21	\$12,258.76
941	09/ 30/2007	\$5,536.44	\$713.82	\$6,2 50.26
941	12/31/2007	\$22,111.43	\$2,481.11	\$24 ,592.54
941	03/31/2008	\$2,605.78	\$252.66	\$2, 858.44
NS, OR ANY OTHE	R RETIREMENT PLANS IN YOUR	LOYED INDIVIDUALS' RETIREMENT I POSSESSION OR CONTROL,	Total Amount Due	See page 4

We figured the interest and late payment penalty to 12/04/2010

246,014

Although we have told you to pay the amount you owe, it is still not paid. This is your copy of a notice of levy we have sent to collect this unpaid amount. We will send other levies if we don't get enough with this one.

Banks, credit unions, savings and loans, and similar Institutions described in section 408(n) of the Internal Revenue Code <u>must hold your money for 21 calendar days</u> before sending it to us. They must include the interest you earn during that time. Anyone else we send a levy to must turn over your money, property, credits, etc. that they have *(or are already obligated for)* when they would have paid you.

If you decide to pay the amount you owe now, please <u>bring</u> a guaranteed payment (cash, cashier's check, certified check, or money order) to the nearest IRS office with this form, so we can tell the person who received this levy not to send us your money. Make checks and money orders payable to **United States Treasury.** If you mail your payment instead of bringing it to us, we may not have time to stop the person who received this levy from sending us your money.

If we have erroneously levied your bank account, we may reimburse you for the fees your bank charged you for handling the levy. You must file a claim with the IRS on Form 8546 within one year after the fees are charged.

If you have any questions, or want to arrange payment before other levies are issued, please call or write us. If you write to us, please include your telephone number and the best time to call.

Signature of Service Representative

/S/ HARVEY DAVIS JR

Title

REVENUE OFFICER

Part 4 - For Taxpayer

Form 668-A(ICS) (7-2002)

EXHIBIT: A-2. "A-

TO WHOM IT MAY CONCERN:

This is to certify and resolve, that **all** (100%) of the corporation assets & Liabilities belonging to Stella Early Learning Center, Inc., are herein transferred to Stella Unigwe, individually, for the sum of \$10.00. They are now assets & liabilities of Stella Unigwe.

Dated this __30th_ Day of September, 2010

By: Stella Unique

Stella Unigwe (President & Owner)

Stella Early Learning Center, Inc.

Accepted:

By: _

Stella Unigwe (Individually)

Witness By:

Ike Unigwe.

Pa. 17-17.

TO WHOM IT MAY CONCERN

This is to certify that a corporate resolution for Stella's Early Learning Center Inc;, was entered on or about September 30th, 2010 **stating as follows:**

- **1).** That Stella Unigwe who originally owns 100% of the corporation shares, is now the corporation's new president effective immediately.
- **2).** That all of the corporation assets and liabilities are transferred to Stella Early Learning Center, Inc.
- **3).** That the corporation would seek to reinstate its status with the Georgia secretary of State Corporation division as soon as possible.
- **4).**That Ike Unigwe new position would continue to be the registered agent for the corporation; and would also act as the corporation vice- president.
- **5).** Notwithstanding the aforesaid, Stella Unigwe, as owner of the aforesaid corporation, was allowed to conduct business in the name of the corporation as: Stella Unigwe D/B/A: Stella Early Learning Center, Inc. since September 30th, 2010.

By: Obe Chyfus

Ike Unigwe, Jr. (secretary)) Stella Early Learning Center, Inc.

Sworn to and subscribe before Me

This 16th, day of December 2010

Notary Public.

ROBBIE COCHRAN

NCTARY PUBLIC

Paulding County - State of Georgia

My Comm. Expires July 28, 2012

My commission expires:

Case 10-06689-jrs Doc 1 Filed 12/17/10 Entered 12/17/10 09:23:56 Desc Mair

Internal Revenue Service 5240 SNAPFINGER PARK DRIVE STE 190 DECATUR, GA 30035 **Department of the Treasury**

Letter Number: 3164A (DO)

Date:

12/02/2010

Social Security Number or

Employer Identification Number:

256-35-0632

Contact Person:

HARVEY DAVIS JR

Contact Telephone Number:

(404)338-9647

Employee Identification Number:

1000250673

We are attempting to collect unpaid taxes from the business named below.

BUSINESS NAME:

STELLA UNIGWE

MARIETTA, GA 30064

2104 BRECONRIDGE DR SW

STELLAS EARLY LEARNING CTR

ADDRESS:

2330 CORONET WAY NW

ATLANTA, GA 30318-2116

EIN: 58-1939421

We are now determining who may be personally responsible for some portion of the tax. We have received information that indicates you may have some responsibility for the tax. We encourage you to contact us if you have information that would help us determine your personal liability.

As part of this determination process, we sometimes talk with other persons when we need to obtain or verify related information. If we do contact other persons, we will generally need to provide them limited information about you, such as your name. The law prohibits us from disclosing any more information than is necessary. Our need to contact other persons may continue until we collect the tax.

If you have any questions regarding this letter or wish to request a list of people we contact regarding this matter, please call us at the telephone number shown above.

Sincerely

HARVEY DAVIS JR REVENUE OFFICER

4208.59 17017.87	1670.31	2538.28 10396.85	0.00	4208.59 17106.29		Period Balance Balance Sub-totals
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480.86		•	3019.14	500.	946.93 00	66 0 06/22
08		80.8	•	500.	7708.59	50 0 06/22
480.86	0.00	480.86	3019.14	3500.00	-3500.00	50 0 11/06
4689.45	•	3019.14	3019.14	7708.59	-	200809 4208.59
12809.28	4950.71 ==========	=======================================		===.		
6589.4	· <u>-</u> -	8.4	00	6677.8		Balance
	0.00	0.00	4000.00	4000.00	1001.68 00	276 0 10/18/2010
0.00		0.	4000.00	4000.00	ω ω	6 0 07/27
0.00		0.	4000.00	4000.00	387.28 00	6 0 06/2
0.00	•	0.	4000.00	4000.00	426.67	0 06/22
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0.00		0.	4000.00	000.	402.	6 0 06/22
	•	-	0.0	00.0	0677.	0 0 06/22/200
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6219.81	2449.65	3770.16		6219.81		Balance Sub-totals
6219.81	2449.65	3770.16	0.00	6219.81		ш
174.60	0.0	4.	٠.	4119.36	1554.95 00	276 0 12/06/2010
174.60	0.00	174.60	944.7		3956.10	0 12/0
74.	0,00	74.	3944.76	4119.36	740.24	186 0 12/06/2010
74.		174.60	7		1399.46 00	0 12/0
4.6		9	944.7	ω		0 12/0
- 174.60	0.00	174.60	3944.76		-4119.36	0 06/17
6394.41	2449.6	3944.76	44	10339.17		200306 6219.81
TrustFundP	ncTaxWith	2010 Employee In	30 10:28:28 Employer	Tue Nov Tax Only	TFRP Pay sheet	EIN 58-1939421 TC TC-dt

Case 10-06689-jrs Doc 1 Filed 12/17/10 Epterled 22/17/10 09:23:56 Desc Maii

Internal Revenue Service Document 5240 SNAPFINGER PARK DRIVE STE 190 DECATUR, GA 30035

Department of the Treasury

CERTIFIED MAIL - RETURN RECEIPT

STELLAS EARLY LEARNING CTR 2330 CORONET WAY NW ATLANTA, GA 30318-2116 12/06/2010
Social Security or
Employer Identification Number
58-1939421
Person to Contact:
HARVEY DAVIS JR
Contact Telephone Number:
(404)338-9647
Employee Identification Number:
1000250673

FINAL NOTICE NOTICE OF INTENT TO LEVY AND NOTICE OF YOUR RIGHT TO A HEARING PLEASE RESPOND IMMEDIATELY

Why We Are Sending You This Letter

Your federal tax is still unpaid. We asked you to pay the tax, but we still haven't received your payment. This letter is your notice of our intent to levy (under Internal Revenue Code (IRC) Section 6331) and your right to request an Appeals hearing (under IRC Section 6330(a)).

What You Need To Do

Please send us a full payment today to prevent additional collection action. Make your check or money order payable to "United States Treasury". Write your Social Security number or Employer Identification Number on your payment. Send your payment to us in the enclosed envelope, along with a copy of this letter. The amount you owe through 01/05/2011 is \$13,916.24. Additional penalty and interest charges will be due if you pay after this date.

If you wish to request an Appeals hearing, complete the enclosed Form 12153, Request for a Collection Due Process or Equivalent Hearing, and send it to us within 30 days from this letter's date. You must complete, sign, and return this form to the above address within 30 days to preserve your rights to contest an Appeals' decision in the U.S. Tax Court.

Information about Interest and Penalty Charges

The unpaid amount from prior notices may include tax, penalties, and interest you still owe. It also includes any credits and payments we've received since we sent our last notice to you. Below is a brief explanation of the interest and/or failure to pay penalty that may be included in the amount you owe:

Interest - Internal Revenue Code Section 6601

We charge interest when your tax is not paid on time. Interest is computed from the due date of your return (regardless of extensions) until paid in full. Interest is also charged on penalties for late filing and failure to pay tax owed. Interest compounds daily, except on late or underpaid estimated income taxes for individuals or corporations.

Letter 1058 (Rev. 10-2008) Catalog Number: 40488S Compound Interest – We charge additional interest of 2 percent if, according to our records, you didn't make your corporate tax (income, employment, excise, etc.) payment within 30 days after we notified you of the underpayment of tax. This interest begins on the 31st day after we notify you of the underpayment of tax amounts you owe over \$100,000, minus your timely payments and credits.

Paying Late - Internal Revenue Code Section 6651(a)(2), (a)(3) and (d)(1)

We charge a late penalty of ½ percent of the tax owed each month or part of a month that the tax remains unpaid from the due date, up to a maximum of 25 percent of the tax due. The ½ percent increases to 1 percent for each subsequent month or part of a month if the tax remains unpaid 10 days after we issue a notice of intent to levy.

What We Are Going To Do

We may file a Notice of Federal Tax Lien at any time to protect the government's interest. A lien is a public notice to your creditors that the government has a right to your current assets, including any assets you acquire after we file the lien.

If you don't pay the amount you owe, make alternative arrangements to pay, or request an Appeals hearing within 30 days from this letter's date, we may take collection action against your property, or rights to property, such as real estate, automobiles, business assets, bank accounts, and other income.

How To Get Help

If you have recently paid this tax or if you can't pay it, call us immediately at the telephone number shown at the top of this letter.

The enclosed Publication 594, The IRS Collection Process, and Publication 1660, Collection Appeal Rights, provide more information.

Sincerely yours,

HÅRVEY DAVIS JR REVENUE OFFICER

Enclosures: Copy of this letter Publication 594 Publication 1660 Form 12153

The table below shows the amount you owe:

Form Number	Tax Period	Unpaid Amount from Prior Notices	Additional Penalty	Additional Interest	Amount You Owe
941	06/30/2003	\$13,870.56	\$0.00	\$45.68	\$13,916.24

Total:

\$13,916.24

10-91637-JRS

Internal Revenue Service 600 S. Maestrail Pl New Orleans, LA 70130

GA Dept of Revenue PO Box 105499 Atlanta, GA 30348

Fulton Co Tax Comm PO Box 105052 Atlanta, GA 30348

BAC Home Loans 450 America Street #SV416 Simi Valley, CA 93065

City of Atlanta Watershed Department PO Box 105275 Atlanta, GA 30348

Vesta Holdings 1266 West Paces Ferry Road Atlanta, GA 30327

Macy's 9111 Duke Blvd Mason, OH 45040

Select Portfolio Services 3815 SW Temple Salt Lake City, UT 84115

Citi Premier Card PO Box 6500 Sioux Falls, SD 57117

Veronica Sigalo 457 Rockboro Terrace Stone Mountain, GA 30083

Internal Revenue Service 5240 Snapfinger Park Drive 190 Decatur, GA 30035 Sears Credit Cards PO Box 183081 Columbus, OH 43218

Bianca Unique 2104 Breckonbridge Drive Marrietta, GA 30064

Abraham Unique 2104 Breckonbridge Drive Marietta, GA 30064

Uju Moh 9411 Main Street Jonesboro, GA 30000

Mr. & Mrs. Obikudu 10001 Daly Drive Hurst, TX 76053

Mr. & Mrs. Sonny Nuogu 60 Stable Ave Dallas, GA 30132

Fumilayo Osborne 60 Stable Ave Dallas, GA 30132

Doris Bestman 1238 Sopris Drive Houston, TX 77077

Allied Collection Service 7120 Havenhurst Ave Van Nuys, CA 91406

Comcast PO Box 530099 Atlanta, GA 30353

Dish Network PO Box 105189 Atlanta, GA 30348 Citi Cards PO Box 688901 Des Moines, IA 50368

GA Power 805 Abernathy Blvd Atlanta, GA 30318

Cobb Energy EMC PO Box 369 Marietta, GA 30061

Sears 701E 60th North PO Box 6241 Sioux Falls, SD 57117

Cobb Co Water Dept 660 S. Cobb Drive Marietta, GA 30060

West Cobb Sanitation PO Box 440892 Kennesaw, GA 30160

Macy's PO Box 183083 Columbus, OH 43218

Fitness 19 GA 190 1812 Powder Spring Rd Suite 109 Marietta, GA 30064

Client Services 3451 Harry Truman Blvd St. Charles, MO 63301

SPS PO Box 65250 Salt Lake City, UT 84165

Cobb Co Tax Commissioner 736 Whitlock Ave Marietta, GA 30061 Dekalb County PO Box 1027 Decatur, GA 30031

Scana Energy Marketing 3340 Peachtree Road Suite 750 Atlanta, GA 30326

Bank of America PO Box 25118 Tampa, FL 25118

Maximus 34 Peachtree Street, #2400 Atlanta, GA 30303

I.A. Unique 2104 Breckonbridge Drive Marietta, GA 30064